

REMARKS/ARGUMENTS

A typing error has been corrected in claims 60 and 61. Furthermore, claim 84 has been amended in an effort to define the subject matter applicant wishes to protect more correctly.

Applicant has advised that an Office Action in the corresponding Austrian patent application was received on February 24, 2005, wherein EP 0 621 566 and DE 198 24 323 (copies enclosed) were cited as prior art. Since this Information Disclosure Statement is submitted within three months of the time these references were first brought to applicant's attention, no official fee is believed to be required for submission thereof. However, if such a fee is held to be required, please charge the same to Deposit Account No. 03-2468.

The published European patent application Wallerstorfer deals with a system for controlling access to a ski area, in which a data carrier is associated with a piece of equipment of a user. The data carriers may contain manufacturing data for detecting a pair of equipment pieces which are to be used in pairs, such as boots. In this case, it is provided to deactivate one of the data carriers of the pair to prevent problems if the data carriers of a pair react similarly. Wallerstorfer also describes a method of manufacturing pieces of equipment which have such data carriers whose data may be read contactlessly. Otherwise, this disclosure does not extend beyond that discussed

by applicant in connection with Lippert.

This reference does **not** suggest automatically monitoring a **predetermined and orderly** use of a combination of **structurally different** sport articles, such as a ski binding and a ski boot.

As to the German Jeuther patent publication, it describes the monitoring of the passage of a group of independent objects through a passage area. In this system, the objects carry markings which can be read by machine. When the objects enter the passage area, the markings are read by at least one entry marking detection device, and when the objects leave the area, at least one exit marking detection device reads the markings. The detected entry and exit data are then compared. It is possible to structure one group of objects so that -1 objects in a group of n objects are marked with the same information and that it also comprises a n th guide object containing identifying data of the -1 objects as well as group identifying data, for example the number of objects. The guide object may be a personal identification of a person passing through. The control stations may be mobile and may communicate by radio. The advantages of this system are described primarily in connection with airports and the control of airline passengers and their luggage, and with luggage handling technology generally.

Neither one of these references are believed to make the claimed invention obvious.

Respectfully submitted,
HELMUT HOLZER

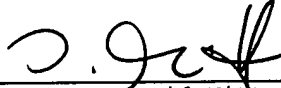


Kurt Kellman, Reg. No. 18,628
Allison C. Collard, Reg. No. 22,532
Edward R. Freedman, Reg. No. 26,048
Frederick J. Dorchak, Reg. No. 29,298
Attorneys for Applicants

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

Encls.: Form 1449
With two references

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on April 27, 2005.



Ingrid Mittendorf